

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALCIRA ORTIZ, AS NATURAL MOTHER AND
LEGAL GUARDIAN OF C.C., A MINOR CHILD,

Plaintiffs,

Case No. 08-CV-2379 (SCR)

- against -

HASBRO, INC., COSTCO, INC., and JOHN
DOES 1-15,

STIPULATION AND ORDER

Defendants.
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The undersigned counsel for the plaintiffs and counsel for defendants Hasbro, Inc. and Costco, Inc. have conferred regarding said defendants' recently filed motion to dismiss the complaint's allegations relating to punitive damages pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. The undersigned counsel hereby agree and stipulate as follows:

1. Plaintiffs hereby voluntarily dismiss all claims in the complaint relating in any way to punitive damages, including but not limited to the complaint's cause of action for punitive damages and all demands and/or prayers for relief relating to punitive and/or exemplary damages against the defendants. Dismissal of said claims is without prejudice to the plaintiffs' right to move to reinstate said claims pursuant to the Federal Rules of Civil Procedure.

2. In light of plaintiffs' agreement to withdraw all of their punitive damages claims, Defendants Hasbro, Inc. and Costco, Inc. hereby withdraw their recently filed motion to dismiss

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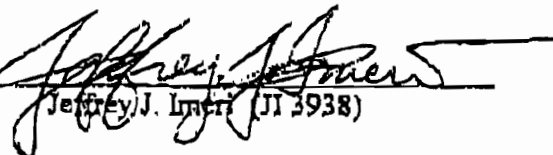
MARSHALL DENNEHEY
MARSHALL DENNEHEY

the Complaint's allegations relating to punitive damages pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

3. Defendants Hasbro, Inc. and Costco, Inc. shall have twenty (20) days from the date this Stipulation is fully executed and so ordered by the Court to serve their Answer to the Complaint in this action.

Dated: New York, New York
July 18, 2008

MARSHALL DENNEHEY, WARNER,
COLEMAN & GOGGIN

By: 
Jeffrey J. Lerner (JI 3938)

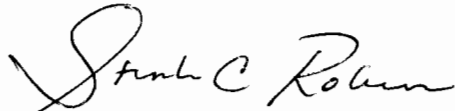
Attorneys for Defendants
HASBRO, INC. and COSTCO, INC.
The Graybar Building
420 Lexington Avenue, Suite 335
New York, NY 10170
(212) 878-1700

DEL CARMEN & MANGAL, P.C.

By: 
Yovendra Mangal (YM 5682)

Attorneys for Plaintiffs
87-87 Francis Lewis Boulevard, 2nd Fl.
Queens Village, NY 11427
(718) 464-4448

SO ORDERED:



Hon. Stephen C. Robinson, U.S.D.J.

Dated: *Aug 4, 2008*